IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

THURSDAY, THE 9TH AUGUST 2007 / 18TH SRAVANA 1929

WP(C).No. 20407 of 2007(D)

PETITIONER:

M/S.SRIRAM TRANSPORT FINANCE COMPANY LTD
(SRIRAM INVESTMENTS LTD.), KEERTHI TOWER,
CHUNGAM, SULTAN BATEERI, WAYANAD DISTRICT,
REPD. BY ITS AUTHORISED SIGNATORY ROBIN JOSE.

BY ADV. SRI.P.SANJAY
SRI.A.PARVATHI MENON

RESPONDENTS:

---

1. REGIONAL TRANSPORT OFFICER,
REGISTERING AUTHORITY, REGIONAL TRANSPORT OFFICE,
CIVIL STATION, KALPETTA, WAYANAD DISTRICT.

2. RAVEENDRAN A.K., ANGATTUKUZHIYIL HOUSE,
AATHIRATTU KUNNU, KENICHIRA, SULTAN BATHERI TALUK,
WAYANAD DISTRICT.

R1 BY GOVT. PLEADER SRI.M.R.SABU.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 09/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX (WP(C) NO.20407 OF 2007)

PETITIONER'S EXHIBITS:

Ext.P1: Copy of the application submitted before the petitoner dtd.29.7.2004.

Ext.P2: Copy of the judgment in OS No.235/2004 before the Munsiff's Court, Kalpatta, Wayanad.

Ext.P3: Copy of the decree in O.S.No.235/2004.

Ext.P4: Copy of the representation dtd.28.6.2007.

-True Copy-

P.A.to Judge.

S. SIRI JAGAN, J.

WP(C) NO. 20407 OF 2007 - D

Dated this the 9th day of August, 2007

J U D G M E N T

The petitioner is a financier of vehicle bearing Registration No.KL.12/B 4182. Since the second respondent fails to pay the instalment amounts due, the petitioner repossessed the vehicle and applied to the first respondent for issue of fresh registration certificate in its name as early as in 2004. The same has not been considered on the ground that a civil suit is pending between the second respondent and the petitioner. The petitioner submits that the suit was decided in favour of the petitioner and a copy of the judgment in that suit has also been made available to the first respondent in spite of which no action is taken. The petitioner therefore seeks the following reliefs:-

> "i. Call for the records relating to transfer of RC of vehicle No.KL12B4182 and peruse the same.
>
> ii. Issue a writ of mandamus directing the 1st respondent forthwith the formalities

with respect to transfer of Registration Certificate of vehicle No. KL12B4182.

iii. Direct the 1st respondent to take action pursuant to Ext.P1 and P4 immediately."

Notice has been issued to the second respondent also. He has not cared to appear and contest the matter.

2. In the above circumstances, I am satisfied that the first respondent should pass orders on the application stated to have been submitted by the petitioner. This shall be done within a period of one month from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above.

S. SIRI JAGAN,
Judge

Mbs/

S.SIRI JAGAN, J

W.P.(C) NO. OF 2001

J U D G M E N T

DATED:01-06-2007